CONTE C. CICALA, State Bar No. 173554
conte.cicala@clydeco.us
CLYDE & CO US LLP
101 Second Street, 24th Floor
San Francisco, California 94105
Telephone: (415) 365-9800
Facsimile: (415) 365-9801

Attorneys for Plaintiff
MITSUI O.S.K. LINES, LTD.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MITSUI O.S.K. LINES, LTD., Plaintiff, v. CB FREIGHT INT'L, INC. Defendant.	Case No. 16-cv-05002-KAW (and Related Case: 15-cv-05289-KAW) **DECLARATION OF CONTE CICALA IN SUPPORT OF APPLICATION FOR ENTRY OF DEFAULT JUDGMENT**

DECLARATION OF CONTE CICALA

I, Conte Cicala, declare the following to be true and correct based on my own personal knowledge as counsel of record for Plaintiff MITSUI O.S.K. LINES, LTD.:

1. A true and correct copy of the Complaint is attached hereto as Exhibit 1.

2. A true and correct copy of the proof of service of the Summons, Complaint, and other required documents upon Defendant CB FREIGHT INT'L, INC. ("CB FREIGHT") on January 15, 2016 through the Secretary of the Federal Maritime Commission is attached hereto as Exhibit 2.

CLYDE & CO US LLP
101 Second Street, 24th Floor
San Francisco, California 94105
Telephone: (415) 365-9800

3. The time allowable by law to respond to the Complaint expired on February 4, 2016. (Fed. R. Civ. Pro. 6; 12(a)(1)(A)(i)).

4. No answer or responsive pleading has been filed within the time limit fixed by Fed R. Civ. Pro. 12, or otherwise.

5. Defendant is neither a minor nor incompetent person, in that it is a business entity and not a natural person. (Fed. R. Civ. Pro. 55(b)(1)).

6. Pursuant to 50 U.S.C. App. § 521, and upon information and belief, Defendant is not in the military service, in that it is a business entity and not a natural person.

7. The clerk previously entered the default of Defendant on March 2, 2016.

8. Request is hereby made that default be entered against Defendant on the accompanying Application for Entry of Default by Court.

I declare the foregoing to be true and correct under the laws of the United States of America, executed on this 19th day of October, 2016, at San Francisco, California.

CLYDE & CO US LLP

By: */s/ Conte C. Cicala*
Conte C. Cicala
Attorneys for Plaintiff
MITSUI O.S.K. LINES, LTD.